

UTAH APPRAISER LICENSING AND CERTIFICATION BOARD

Heber M. Wells Building

Room 210

9:00 a.m.

July 22, 2015

Telephone Meeting

MINUTES

DIVISION STAFF PRESENT:

Jonathan Stewart, Division Director
Mark Fagergren, Education and Licensing Director
Jeffery Nielsen, Chief Investigator
Justin Barney, Hearing Officer
Judith Jensen, Assistant Attorney General
Amber Nielsen, Acting Board Secretary
Kendelle Christiansen, Division Staff
Craig Livingston, Investigator

BOARD MEMBERS PRESENT:

John E. Ulibarri, Chair
Kristin Coleman-Nicholl, Vice Chair
Daniel Brammer, Board Member
Paul W. Throndsen, Board Member
Jim Bringhurst, Board Member

The July 22, 2015 meeting of the Appraiser Licensing and Certification Board began at 9:04 a.m. with Chair Ulibarri conducting.

PLANNING AND ADMINISTRATIVE MATTERS

Elections of Chair and Vice Chair - Elections were held to nominate and vote on the offices of Chair and Vice Chair. Nominations were taken for both of these positions.

The Board voted on the nomination of John Ulibarri to serve as the Chair for the upcoming year. Vote: Vice Chair Coleman-Nicholl, yes; Board Member Brammer, yes; Board Member Throndsen, yes; Board Member Bringhurst, yes. The motion passes.

The Board voted on the nomination of Kristin Coleman-Nicholl to serve as Vice Chair for the upcoming year. Vote: Chair Ulibarri, yes; Board Member Brammer, yes; Board Member Throndsen, yes; Board Member Bringhurst, yes. The motion passes.

Both Mr. Ulibarri and Ms. Coleman-Nicholl will continue in their positions as Chair and Vice Chair respectively.

Approval of Minutes - A motion was made and seconded to approve the minutes from June 24, 2015 meeting as written. Vote: Chair Ulibarri, yes; Vice Chair Coleman-Nicholl, yes; Board Member Brammer, yes; Board Member Thronsdon, yes; Board Member Bringham, yes. The motion carries.

Public Comment Period – No public attended the meeting today.

DIVISION REPORT

DIRECTOR'S REPORT – Jonathan Stewart

Director Stewart announced the Division is already beginning preparations for the next legislative session. He hopes to present to the Board the proposed items next month.

Director Stewart received a notification from the Appraisal Qualifications Board (AQB) about Alternative Track to the Experience Requirements in the Real Property Appraiser Qualification Criteria. Mr. Stewart presented the contents of the notification and led a discussion based on those contents.

ENFORCEMENT REPORT – Jeffery Nielsen

Mr. Nielsen reported in June the Division received 2 complaints; opened 9 new cases; submitted 1 new case to the AG's office; no cases were closed by the AG's; total of 13 cases are now with the AG's office; 4 cases were closed; leaving 45 appraisal cases open with the Division.

Mr. Nielsen addressed some changes to the enforcement non-compliance with the Appraisal Subcommittee. Mr. Nielsen reported the changes should improve the enforcement's rating with the ASC from out of compliance to area of concern.

There are no stipulations for review this month.

EDUCATION AND LICENSING REPORT – Mark Fagergren

Mr. Fagergren presented for discussion an applicant whose experience log requires further evaluation. Mr. Fagergren would like the Board's opinion on whether this experience log should be submitted to the review committee or a new log should be requested.

Mr. Fagergren submitted the following lists to the Board for their review:

Certified and Licensed Appraiser Applicants Approved by both Education and Experience Review Committees:

Spencer Cook, CG candidate

Disciplinary List

Elizabeth J. Fehrmann, Renewal of CR license

Mark F. Pomykacz, Application for CG license

Daniel Felt, Application for CR license

COMMISSION AND INDUSTRY ISSUES

Rule Updates – Justin Barney

Mr. Barney reported the Mortgage Commission has passed a rule amendment which is currently in the public comment period which will change the requirement that Appraisal fees are paid within 30 days.

Mr. Barney presented changes to R162-2g-304d outlining changes which will put this rule into compliance with the AQB qualification criteria. Mr. Barney also presented changes to R162-2g-307d which clarifies the rule. A motion was made to accept the rule as written and submit for public comment. Vote: Chair Ulibarri, yes; Vice Chair Coleman-Nicholl, yes; Board Member Brammer, yes; Board Member Thronsdon, yes; Board Member Bringhurst, yes. The motion passes.

A motion was made to close the meeting for the sole purpose of discussing the character, professional competence or physical or mental health of an individual. Vote: Chair Ulibarri, yes; Vice Chair Coleman-Nicholl, yes; Board Member Brammer, yes; Board Member Thronsdon, yes; Board Member Bringhurst, yes. The motion passes.

CLOSED TO PUBLIC

An Executive Session was held from 9:53 a.m. to 10:05 a.m.

OPEN TO PUBLIC

RESULTS OF DELIBERATIONS

Certified and Licensed Appraiser Applicants Approved by both Education and Experience Review Committees:

Spencer Cook, CG candidate – Approved

Disciplinary List

Elizabeth J. Fehrmann and Daniel Felt will be notified by the Division of the decision. Mark F. Pomykacz will be reviewed at a later meeting.

A motion was made to adjourn the meeting. Vote: Chair Ulibarri, yes; Vice Chair Coleman-Nicholl, yes; Board Member Brammer, yes; Board Member Thronsdon, yes; Board Member Bringhurst, yes. The motion passes. The meeting adjourned at 10:07 a.m.